HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8043 of 2007

Dated:19.04.2007

Between:

Mir Baquer Ali

…Petitioner

and

Government of Andhra Pradesh and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8043 of 2007

ORDER:

The petitioner along with other residents of Ranjole Village and Gram Panchayat made a complaint to the second respondent against Sri Agoor Vaidyanath, the then Ex-Sarpanch of the village. They alleged that he misappropriated a sum of Rs.2,04,594/-. Statedly the second respondent passed orders on 24.05.1999 removing the Sarpanch from the office and also directed for recovery of the amount. It is alleged that on 27.09.2002 yet another order was passed by the second respondent directing the third respondent to recover the amount, in vain. Therefore, the petitioner filed the present Writ Petition seeking a direction to respondents to recover the amounts from the Ex-Sarpanch,
Sri Vaidyanath.

Ex-Sarpanch is not arrayed as a party to the Writ Petition and therefore, no direction can be granted against such a person, who is not a party to the proceedings. Secondly, when the second respondent issued orders removing the Sarpanch from the office and also passed orders for recovery of the misappropriated amount, nothing prevents the District Collector to see that his orders are implemented. For implementation of the orders of the second respondent, a writ petition would not lie.

The Writ Petition is misconceived and is accordingly dismissed. No costs.

(V.V.S.RAO, J)

19.04.2007
GJ